

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed February 25, 2004. Claims 1-22 were rejected. Claims 1, 2, 4, 5, 8, 12, 14, 15, 18, and 21 have been amended. No new matter was added. Claims 1-22 are currently pending in the present patent application.

Claim 1 was rejected under 35 USC Section 103(a) as being unpatentable over U.S. Patent No. 5,572,399 (Shirato). Claim 1 has been amended to more clearly distinguish over Shirato. First, claim 1 has been amended to make it clear that the invention is concerned with storing and displaying digital photo image data using digital photo memory storage devices. Shirato describes processing data using a keyboard interfacing with a CD-ROM device. Clearly, Shirato is concerned with alphanumerical data processing, not displaying digital photo image data.

In addition, claim 1 has been amended to provide that the electronic processing device is operational to process and display digital photo image data contained on the digital photo memory storage device while the storage cavity is directly exposed, to allow access to the removable digital photo memory storage devices not being displayed. This enables a user to display digital photo image data from a digital photo memory storage device while simultaneously accessing and reviewing other digital photo memory storage devices in the storage area. In the Shirato device, the keyboard unit 11 must be closed over the CD-ROM processing and storage area so that the clamping means 6 applies pressure to the CD-ROM enabling it to be driven at a high speed. See column 3, lines 10-20. Thus, the Shirato device does not allow access to the storage area during the display of the photo images from a digital memory storage device.

Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,109,354 (Yamashita) in view of U.S. Patent No. D-446,809 (Parker). It should be noted that neither Yamashita nor Parker disclose a portable storage housing having a bottom and a plurality of upwardly extending sides for storing a plurality of removable digital photo memory storage devices. In addition, neither reference shows a display cover that is configured to open

and close so as to cover or expose such a storage housing. The only housing shown in Yamashita is used to enclose integrated circuits and a power supply. Parker shows a shallow housing, but does not describe or show the purpose of the housing. Further, Yamashita does not disclose the display of digital photo image data. The entire disclosure appears to be directed to the display of arithmetic and alphanumeric data.

In addition, independent claims 1, 8, and 14 have been amended to further distinguish over the teachings of Yamashita and Parker and to more accurately claim the present invention. In particular, independent claims 1, 8, and 14 have been amended to clarify that the processing device has a receptacle separate from the storage cavity portion and configured to accept at least one of the digital photo memory storage devices. In Yamashita, the storage devices remain connected to a ring binder, whether being stored or accessed for data. They are not removed from the storage area and placed in a receptacle separate from the storage area for processing. Likewise, no such structure is disclosed in Parker.

Applicant therefore respectfully submits that claims 1, 8, and 14 are allowable because the cited art does not teach or suggest this element.

Furthermore, Applicant respectfully submits that combining the teachings of Yamashita and Parker is inappropriate. Yamashita discloses a ring binder having data stored on expansion cards, the data being displayed after being processed by the CPU. Parker does not disclose any kind of similar data storage means or storage devices, nor does it show that any such data is processed by a CPU prior to being displayed. Accordingly, there is no apparent teaching to show how the structure or teachings of Parker might be incorporated into the structure of Yamashita to provide the present invention. In addition, neither Yamashita nor Parker disclose a receptacle separate from the storage area for receiving a digital photo memory device, and being coupled to an electronic processing device to display digital photo images from the device.

Applicant therefore respectfully submits that the above claims 1, 8, and 14, as amended, are patentably distinct from the references cited. All other claims are dependent from claims 1, 8, or 14, and therefore are also allowable.

CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1-22 are now in condition for allowance. Therefore, Applicant requests reconsideration and withdrawal of the rejections and that the claims be allowed and passed to issue. In addition, as stated above, Applicant requests that the Examiner withdraw the finality of the Final Office Action, since new art was cited against all of the claims in that action.

If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 26 day of Apr, 2004.

Respectfully submitted,



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